

Act of 2002, and not as part of the Animal Health Protection Act which comprises this chapter.

### § 8320. Expansion of Animal and Plant Health Inspection Service activities

#### (a) In general

The Secretary of Agriculture (referred to in this section as the “Secretary”) may utilize existing authorities to give high priority to enhancing and expanding the capacity of the Animal and Plant Health Inspection Service to conduct activities to—

- (1) increase the inspection capacity of the Service at international points of origin;
- (2) improve surveillance at ports of entry and customs;
- (3) enhance methods of protecting against the introduction of plant and animal disease organisms by terrorists;
- (4) develop new and improve existing strategies and technologies for dealing with intentional outbreaks of plant and animal disease arising from acts of terrorism or from unintentional introduction, including—

(A) establishing cooperative agreements among Veterinary Services of the Animal and Plant Health Inspection Service, State animal health commissions and regulatory agencies for livestock and poultry health, and private veterinary practitioners to enhance the preparedness and ability of Veterinary Services and the commissions and agencies to respond to outbreaks of such animal diseases; and

(B) strengthening planning and coordination with State and local agencies, including—

- (i) State animal health commissions and regulatory agencies for livestock and poultry health; and
- (ii) State agriculture departments; and

(5) otherwise improve the capacity of the Service to protect against the threat of bioterrorism.

#### (b) Automated recordkeeping system

The Administrator of the Animal and Plant Health Inspection Service may implement a central automated recordkeeping system to provide for the reliable tracking of the status of animal and plant shipments, including those shipments on hold at ports of entry and customs. The Secretary shall ensure that such a system shall be fully accessible to or fully integrated with the Food Safety Inspection Service.

#### (c) Authorization of appropriations

There is authorized to be appropriated to carry out this section, \$30,000,000 for fiscal year 2002, and such sums as may be necessary for each subsequent fiscal year.

(Pub. L. 107–188, title III, § 331, June 12, 2002, 116 Stat. 678.)

#### CODIFICATION

Section was enacted as part of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002, and not as part of the Animal Health Protection Act which comprises this chapter.

### § 8321. Pest and Disease Response Fund

#### (a) Establishment

There is established on the books of the Treasury an account to be known as the “Pest and Disease Response Fund”. There shall be deposited into the Fund any proceeds received by the Secretary of Agriculture as reimbursement for services provided by the Secretary using amounts in the Fund.

#### (b) Availability

Amounts in the Fund shall remain available until expended.

#### (c) Use of Fund

In implementing the Animal Health Protection Act (7 U.S.C. 8301 et seq.) and the Plant Protection Act (7 U.S.C. 7701 et seq.), the Secretary of Agriculture shall have complete discretion regarding the use of amounts in the Fund to support emergency eradication and research activities in response to economic and health threats posed by pests and diseases affecting agricultural commodities.

#### (d) Authorization of appropriations

For each of the fiscal years 2005 through 2009, there is authorized to be appropriated to the Secretary of Agriculture \$1,000,000 for deposit in the Fund.

(Pub. L. 108–465, title IV, § 401, Dec. 21, 2004, 118 Stat. 3886.)

#### REFERENCES IN TEXT

The Animal Health Protection Act, referred to in subsec. (c), is subtitle E (§§ 10401–10418) of title X of Pub. L. 107–171, May 13, 2002, 116 Stat. 494, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 8301 of this title and Tables.

The Plant Protection Act, referred to in subsec. (c), is title IV of Pub. L. 106–224, June 20, 2000, 114 Stat. 438, as amended, which is classified principally to chapter 104 (§ 7701 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 7701 of this title and Tables.

#### CODIFICATION

Section was enacted as part of the Specialty Crops Competitiveness Act of 2004, and not as part of the Animal Health Protection Act which comprises this chapter.

## CHAPTER 110—ENHANCING CONTROLS ON DANGEROUS BIOLOGICAL AGENTS AND TOXINS

### SUBCHAPTER I—DEPARTMENT OF AGRICULTURE

Sec.

8401. Regulation of certain biological agents and toxins.

- (a) Regulatory control of certain biological agents and toxins.
- (b) Regulation of transfers of listed agents and toxins.
- (c) Possession and use of listed agents and toxins.
- (d) Registration; identification; database.
- (e) Safeguard and security requirements for registered persons.
- (f) Inspections.
- (g) Exemptions.
- (h) Disclosure of information.
- (i) Civil money penalty.